

ORDINANCE NO. 2009-974-O

**AN ORDINANCE AMENDING AND SUPERSEDING TITLE 11-5-1 OF THE
WASHINGTON COUNTY CODE (IMPROVEMENTS)**

WHEREAS, Washington County has previously adopted Title 11-5-1 *et seq.* of the Washington County Code (Improvements); and

WHEREAS, the Washington County Water Conservancy District (“WCWCD”) and the Ashcreek Special Sewer District (“ACSSD”) are the governmental entities with jurisdiction and authority over wastewater collection and disposal systems in the unincorporated areas of Washington County; and

WHEREAS, in order to make Title 11-5-1 of the Washington County Code compatible with the rules and regulations established by the WCWCD and the ACSSD, and to coordinate sewer proposals and construction plans with the Utah State Department of Environmental Quality (“DEQ”), and the Southwest Utah Public Health Department (“SWUPHD”), it is necessary to amend and supersede Title 11-5-1 of the Washington County Code.

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Washington County that Title 11-5-1 of the Washington County Code is hereby amended and superseded as follows:

1. Statutory Authority
2. Purpose of Provisions
3. Findings
4. Title 11-5-1 Amendment
5. Prior Ordinances, Resolutions, Policies and Actions Superseded
6. Effective Date

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-53-208, 17-53-223, 17-27a-102, and 17-27a-601 and 602 (1953, as amended).

2. Purpose of Provisions.

This purpose of this ordinance is to amend and supersede Title 11-5-1 of the Washington County Code to make it compatible with the rules and regulations established by the WCWCD and the ACSSD (the governmental entities with jurisdiction and authority over wastewater collection and disposal systems in the unincorporated areas of Washington County) and to coordinate sewer proposals and construction plans with DEQ and the SWUPHD.

3. Findings.

- A. The WCWCD and the ACSSD are the governmental entities with jurisdiction and authority over wastewater collection and disposal systems in the unincorporated areas of Washington County.
- B. It is necessary to amend and supersede Title 11-5-1 of the Washington County Code to make it compatible with the rules and regulations established by the WCWCD and the ACSSD and to coordinate sewer proposals and construction plans with DEQ and the SWUPHD.

4. Title 11-5-1 Amendment.

Title 11-5-1 of the Washington County Code is amended and superseded to read as follows:

No building permit shall be issued and no final subdivision plat shall be approved until such time that all plans and specifications for wastewater collection and disposal have been reviewed and approved by the Washington County Water Conservancy District (WCWCD) or the Ashcreek Special Sewer District (ACSSD), as the case may be, in accordance with district rules and regulations.

As part of the approval process, the Washington County Public Works Department shall review new sewer systems construction drawings within roads and other public right-of-ways, and if applicable, require additional standards. In addition, any proposal for community systems or systems with a design flow of over 5,000 gallons per day must be reviewed and approved by the Utah State Department of Environmental Quality (DEQ). All other wastewater treatment plans shall be reviewed for feasibility and potential permit approval by the Southwest Utah Public Health Department (SWUPHD).

5. Prior Ordinances, Resolutions, Policies and Actions Superseded.

This ordinance amends and supersedes Title 11-5-1 of the Washington County Code, and all prior ordinances, resolutions, policies, and actions of the Washington County Board of County Commissioners to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

6. Effective Date.

This ordinance takes effect fifteen (15) days after its passage. Following its passage but prior to the effective date, a copy of the Ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

APPROVED AND ADOPTED this 19th day of May 2009.

WASHINGTON COUNTY

JAMES J. EARDLEY, Chair
Washington County Commission

ATTEST:

Kim M. Hafen
Washington County Clerk-Auditor

Commissioner Eardley voted ____
Commissioner Gardner voted ____
Commissioner Drake voted ____

